

Application No. 10/081,478
Amdt. Dated May 30, 2006
Reply to Office Action of December 27, 2006

REMARKS/ARGUMENTS

1. Remarks of the Amendment

Claims 1, 3-4, 6-8 and 11-20 have been canceled without prejudice.

New Claims 21 – 27 have been added.

Antecedent basis for the new claims can be found in the claims and the Specification as filed.

More specifically, Antecedent basis of Claim 21 can be found in on page 5, first paragraph of the Specification as filed.

Applicants respectfully submit no new matter has been introduced by the amendments.

2. Response to Claim Objections

Claim 6 has been canceled. However, this typographic error is corrected in the corresponding new claim 24.

3. Response to the Rejections of Claims 1, 3-4, 6-8 and 11-16 Based Upon 35 USC §102(b)

Claims 1, 3-4, 6-8 and 11-16 have been rejected under 35 U.S.C. §102(b) as being anticipated by Curtis et al (U.S. Patent No. 5,833,641).

These claims have been canceled. Therefore, this rejection is moot.

However, in response to this rejection, Applicants respectfully submit that Applicants' claimed invention, as defined by the new independent Claim 21, entitles the priority of the immediate parent application Serial No. 09/500,038, now U.S. Patent No. 6,419,491 B1, and further entitles the priority of the earliest parent application Serial No. 08/146,790, filed on November 2, 1993.

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As stated in the "Reference To Related Applications" of the instant application, this application is a continuation-in-part of Application Serial Number 09/500,038, filed February 8, 2000 which is a continuation-in-part of Application Serial No. 08/996,224, filed December 22, 1997 (now abandoned) which is a continuation of application Serial No. 08/639,712, filed April 29, 1996 (now abandoned) which is a continuation of Serial No. 08/390,805 filed February 15, 1995 (now abandoned) which is a continuation of Serial No. 08/146,790, filed November 2, 1993 (now abandoned).

U.S. Patent No. 6,419,491 B1 has a substantial description of example surfaces for stimulation of fibrous tissue growth and for stimulation of bone tissue growth (Column 6, line 63 to Column 8, line 56), which is based on the earliest parent application Serial No. 08/146,790, filed November 2, 1993 (pages 8 -16). As described in the application Serial No. 08/146,790, collagen matrix material has been used for demonstrating cellular contact guidance (page 3). Furthermore, in the example of making a planar substrate, the disclosure of the earliest application has shown that the process produced 0.5 mm thick polystyrene substrate, which was peeled off from the templates for use in the test of cell growth on the microtextured surface. The test results on the microtextured surface were described in the above referenced section of U.S. Patent No. 6,419,491 B1.

Furthermore, U.S. Patent No. 6,419,491 B1 has disclosed that collagen can be used on the surface of dental implant (Column 8, line 56 to Column 9, line 12).

Therefore, Applicants maintain that the instant application entitles the priority of November 2, 1993 as claimed. As such, Curtis et al (U.S. Patent No. 5,833,641) is not a proper reference under 35 U.S.C. §102(b).

In view of the above, it is respectfully submitted that Claims 21 to 27, the pending claims, are now in condition for allowance and such action is respectfully requested.

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Applicant's Agent respectfully requests direct telephone communication from the Examiner with a view toward any further action deemed necessary to place the application in final condition for allowance.

5/30/2006

Date of Signature

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